

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Raymond L. Semler,

Civ. No. 24-1850 (JWB/TNL)

Plaintiff,

v.

Nancy Johnston, *CEO Minnesota Sex Offender Program*; Brian Ninneman, *MSOP – Moose Lake Complex 1A-Unit Director*; and Marc Zika, *Group Supervisor – MSOP – St. Peter, sued in their individual and official capacities*,

**ORDER ACCEPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE**

Defendants.

United States Magistrate Judge Tony N. Leung issued a Report and Recommendation (“R&R”) on May 29, 2024. (Doc. No. 6.) No objections have been filed to that R&R in the time permitted. Absent timely objections, the R&R is reviewed for clear error. *See Fed. R. Civ. P. 72(b); Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, no clear error is found.

Based on the R&R of the Magistrate Judge, and on all the files, records, and proceedings in this case, **IT IS HEREBY ORDERED** that:

1. The May 29, 2023 Report and Recommendation (Doc. No. 6) is **ACCEPTED**;
2. Plaintiff Raymond L. Semler’s Complaint (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim;
3. Plaintiff’s requests for injunctive and declarative relief (Doc. No. 1) are

DENIED AS MOOT; and

4. Plaintiff's application to proceed *in forma pauperis* (Doc. No. 2) is
DENIED AS MOOT.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: July 9, 2024

s/ Jerry W. Blackwell
JERRY W. BLACKWELL
United States District Judge